

IN **UNITED STATES PATENT AND TRADEMARK OFFICE**

Rec'd PCT/PTO 23 AUG 2005

Application No. : 10/526,492
Applicants : EDER, ET AL.
Filed : MARCH 4, 2005
Title : METHOD AND APPARATUS FOR MEASUREMENT OF EVOKED
NEURAL RESPONSE

#6

Art Unit : TO BE ASSIGNED
Examiner : TO BE ASSIGNED

Atty Docket No. : COCH-0144-US1

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35
U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE
(DO/EO/US)

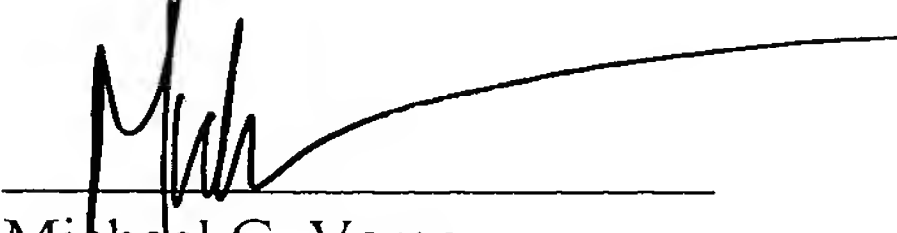
Sir:

This is in response to the Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office dated July 28, 2005, the period for response to which is set to expire on September 28, 2005.

Submitted herewith are the executed declarations in compliance with 37 CFR 1.497(a) and (b).

Please direct any inquiries in connection with this application directly to the undersigned.

Respectfully submitted,



Michael G. Verga
Registration Number 39,410

JAGTIANI + GUTTAG
Democracy Square Business Center
10363-A Democracy Lane
Fairfax, Virginia 22030
(703) 591-2664

August 23, 2005

JCO6 Rec'd PCTO 23 AUG 2005

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



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Sir:

The below-identified communication(s) is (are) submitted in the above-captioned application or proceeding:

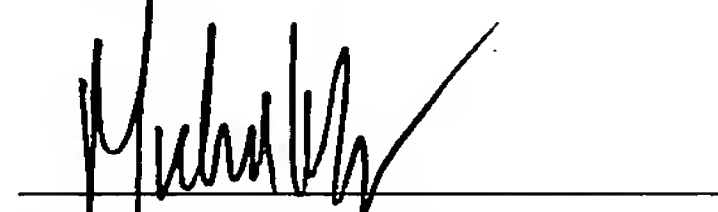
- ☒ Patent Fee Transmittal for FY 2005 and Deposit Account Authorization
- ☒ Credit Card Payment Form
- ☒ Response to Notification of Missing Requirements under 35 U.S.C.371
- ☒ Declaration and Power of Attorney (2 pages)
- ☒ Copy of Notification of Missing Requirements
- ☒ Certified copy of Australian Application Number 2002951218

08/29/2005 MKAYPAGH 00000039 10526492

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Respectfully submitted,



Michael G. Verga
Registration Number 39,410

JAGTIANI + GUTTAG
Democracy Square Business Center
10363-A Democracy Lane
Fairfax, Virginia 22030
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August 23, 2005

Patent Fee Transmittal for FY 2005

Rec'd PCT/PTO 23 AUG 2005

☐ Applicant Claims Small Entity Status 37 C.F.R. 1.27

TOTAL AMOUNT OF PAYMENT

\$130.00

Application Number

6,492

Filing Date

4-Mar-05

Named Inventor

Helmut Christian Eder

Examiner Name

To be assigned

Art Unit

To be assigned

Attorney Docket No.

COCH-0144-US1

FEE CALCULATION

1. Filing Fees

Application Type	Description	Large Entity		Small Entity		Paid
		Code	(\$)	Code	(\$)	
Utility	Basic	1011	300	2011	150	\$ -
	Examination	1311	200	2311	100	\$ -
	Search	1111	500	2111	250	\$ -
Design	Basic	1012	200	2012	100	\$ -
	Examination	1312	130	2312	65	\$ -
	Search	1112	100	2112	50	\$ -
Plant	Basic	1013	200	2013	100	\$ -
	Examination	1313	160	2313	80	\$ -
	Search	1113	300	2113	150	\$ -
Reissue	Basic	1014	300	2014	150	\$ -
	Examination	1114	600	2114	300	\$ -
	Search	1314	500	2314	250	\$ -
Provisional	Basic	1005	200	2005	100	\$ -
National Stage	Basic	1631	300	2631	150	\$ -
	Examination	1633	200	2633	100	\$ -
	Search	1632	500	2632	250	\$ -

2. Extra Claim Fee

a. Claims as Filed

		Extra Claims	
Total Claims	0	- 20 =	0
Independent	0	- 3 =	0
Multiple Dependent			

Large Entity		Small Entity		Paid
Code	(\$)	Code	(\$)	
1201	50	2201	25	\$ -
1202	200	2202	100	\$ -
1203	360	2203	180	\$ -

b. Claims as Amended

		After Amnt	Highest Paid	Present Extra	
Total Claims	0	- 0	*	=	0
Independent	0	- 0	**	=	0
First Presentation of Multiple Dependent					
* Less than 20, enter 20 ** Less than 3, enter 3					

Large Entity		Small Entity		Paid
Code	(\$)	Code	(\$)	
1201	50	2201	25	\$ -
1202	200	2202	100	\$ -
1203	360	2203	180	\$ -

3. Extra Page Fee

		Extra Pages	
Total Pages	0	- 100	0
Subtotal for Application Fees			
1	\$ -	+	2 \$ -
3	\$ -	=	\$ -

Large Entity		Small Entity		Paid
Code	(\$)	Code	(\$)	
1081	250	2081	125	\$ -

4. Additional Fees

Description	Large Entity		Small Entity		Paid
	Code	(\$)	Code	(\$)	
Extension for response first month	1251	120	2251	60	\$ -
Extension for response second month	1252	450	2252	225	\$ -
Extension for response third month	1253	1,020	2253	510	\$ -
Extension for response fourth month	1254	1,590	2254	795	\$ -
Extension for response fifth month	1255	2,160	2255	1,080	\$ -
Notice of Appeal	1401	500	2401	250	\$ -
Filing a Brief in Support of an Appeal	1402	500	2402	250	\$ -
Request for Oral hearing	1403	1,000	2403	500	\$ -
Petitions under 1.17(f)	1462	400	2462	400	\$ -
Petitions under 1.17(g)	1463	200	2463	200	\$ -
Petitions under 1.17(h)	1464	130	2464	130	\$ -
Petition - public use proceeding	1451	1,510	2451	1,510	\$ -
Petition to Revive - Unavoidable	1452	500	2452	250	\$ -
Petition to Revive - Unintentional	1453	1,500	2453	750	\$ -
Utility Issue Fee	1501	1,400	2501	700	\$ -
Design Issue Fee	1502	800	2502	400	\$ -
Plant Issue Fee	1503	1,100	2503	550	\$ -
Reissue Issue Fee	1511	1,400	2511	700	\$ -
Publication Fee	1504	300	2504	300	\$ -
Statutory Disclaimer	1814	130	2814	65	\$ -

(cont.)

Description (cont.)	Large Entity		Small Entity		Paid
	Code	(\$)	Code	(\$)	
Recording each Assignment	8021	40	8021	40	\$ -
Submission of IDS	1806	180	1806	180	\$ -
Request for Cont. Examination (RCE)	1801	790	2801	395	\$ -
Filing Submission After Final	1809	790	2809	395	\$ -
Surcharge - late filing fee or oath	1051	130	2051	65	\$ 130
Surcharge - late provisional fee	1052	50	2052	25	\$ -
Non-English Specification	1053	130	1053	130	\$ -
Processing Fee 37 CFR 1.17(q)	1807	50	1807	50	\$ -
Request for Ex Parte Reexamination	1812	2,520	1812	2,520	\$ -
Request Pub. of SIR prior to action	1804	920	1804	920	\$ -
Request Pub. of SIR after action	1805	1,840	1805	1,840	\$ -
Each Add. Invention Examined	1810	790	2810	395	\$ -
Expedited Examination (Design)	1802	900	1802	900	\$ -
Unintentionally Delayed Priority Claim	1453	1,370	1453	1,370	\$ -
Certificate of Correction	1811	100	1811	100	\$ -
Maintenance Fees 3.5 years	1551	900	2551	450	\$ -
Maintenance Fees 7.5 years	1552	2,300	2552	1,150	\$ -
Maintenance Fees 11.5 years	1553	3,800	2553	1,900	\$ -
Surcharge - Late Payment 6 mos.	1554	130	2554	65	\$ -
Other fee					\$ -

Additional Fee Subtotal \$ 130

METHOD OF PAYMENT (Check all that apply)

☒ Credit Card (Provide credit card information and authorization on PTO-2038)

☒ Deposit Account No. 10-0233-COCH-0144-US1

For the above-identified deposit account, the Director is hereby authorized to:

- ☐ To charge the above-identified fee.
- ☒ To charge any additional fees which may be required under 37 CFR 1.16, 1.17, 1.18, 1.20 and 1.492 or credit any overpayment to the deposit account number listed above.

Submitted by:

Name	Michael G. Verga	Reg. No.	39,410
Firm	Jagtiani + Gutttag		
Address	10363-A Democracy Lane, Fairfax VA 22030		
Telephone	703.591.2664	Fax	703.591.5907

Signature

August 23, 2005

Date



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

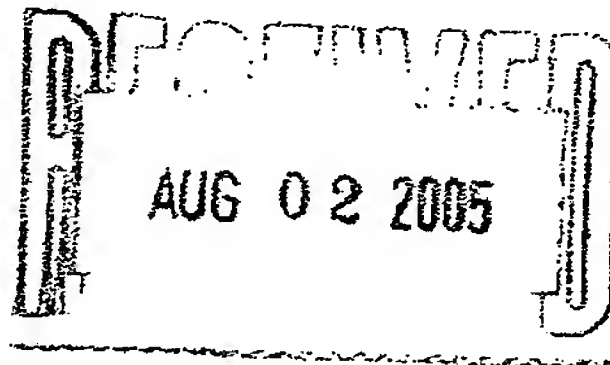
U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/526,492	Helmut Christian Eder	COCH-0144-US1

INTERNATIONAL APPLICATION NO.

PCT/AU03/01151

LA. FILING DATE	PRIORITY DATE
09/04/2003	09/04/2002

22506
JAGTIANI + GUTTAG
10363-A DEMOCRACY LANE
FAIRFAX, VA 22030



CONFIRMATION NO. 7344

371 FORMALITIES LETTER



OC000000016633305

Date Mailed: 07/28/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 03/04/2005
- Copy of the International Search Report filed on 03/04/2005
- Copy of IPE Report filed on 03/04/2005
- Preliminary Amendments filed on 03/04/2005
- Information Disclosure Statements filed on 03/04/2005
- Request for Immediate Examination filed on 03/04/2005
- U.S. Basic National Fees filed on 03/04/2005
- Priority Documents filed on 03/04/2005
- Specification filed on 03/04/2005
- Claims filed on 03/04/2005
- Abstracts filed on 03/04/2005
- Drawings filed on 03/04/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- **\$130** Late oath or declaration Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

BARBARA A CAMPBELL

Telephone: (703) 308-9140 EXT 217

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/526,492	PCT/AU03/01151	COCH-0144-US1